

HOUSE BILL No. 1906

DIGEST OF INTRODUCED BILL

Citations Affected: IC 3-5-2; IC 3-7; IC 9-24-2.5-4; IC 12-14; IC 12-15-1.5-4; IC 16-35-1.6-5.

Synopsis: Voter registration. Requires the election division of the secretary of state's office to maintain the statewide voter registration file so that the file is accessible by the election division and county voter registration offices through a secure connection over the Internet. Requires the election division to format the file so that only the county voter registration office of a particular county is able to change data in the file for that particular county's voters. Provides that the election commission is not required to provide direct public access to the statewide voter registration file over the Internet. Requires voter registration offices to issue voter identification cards. Provides that an individual who presents an acknowledgment of voter registration received at a license branch or other voter registration agency is entitled to vote unless the county voter registration agency has denied the individual's application and a copy of the denial is present at the precinct on election day. Repeals obsolete sections of the voter registration statutes.

Effective: January 1, 2002.

**Stevenson, Aguilera, Dumezich,
Thompson**

January 17, 2001, read first time and referred to Committee on Elections and Apportionment.



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First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

HOUSE BILL No. 1906

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 3-5-2-1.9 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE
3 JANUARY 1, 2002]: **Sec. 1.9. "Applicant file" refers to a file**
4 **contained in the statewide file of individuals:**

- 5 (1) **who have submitted a voter registration application; and**
6 (2) **whose voter registration information has not been**
7 **transferred to the appropriate county file.**

8 SECTION 2. IC 3-5-2-16.1 IS ADDED TO THE INDIANA CODE
9 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE
10 JANUARY 1, 2002]: **Sec. 16.1. "County file" refers to the part of**
11 **the statewide voter registration file that contains voter registration**
12 **information about a particular county's registered voters.**

13 SECTION 3. IC 3-5-2-48.3 IS ADDED TO THE INDIANA CODE
14 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE
15 JANUARY 1, 2002]: **Sec. 48.3. "Statewide file" refers to the**
16 **statewide voter registration file established under IC 3-7-26-2.**

17 SECTION 4. IC 3-7-14-9 IS AMENDED TO READ AS FOLLOWS



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[EFFECTIVE JANUARY 1, 2002]: Sec. 9. An employee of the commission who provides an individual with a driver's license or identification card application shall do the following:

(1) Inform each individual who applies for a driver's license or an identification card that the information the individual provides on the individual's application will be used to register the individual to vote unless:

(A) the individual is not eligible to vote; or

(B) the individual declines to register to vote or fails to complete the voter registration part of the application.

(2) Provide each individual who indicates a desire to register or transfer registration with assistance in filling out the voter registration application if requested to do so by the individual.

(3) Check the completed voter registration form for legibility and completeness.

(4) Deliver the completed registration form to the license branch manager (or the employee designated by the manager to be responsible for voter registration services) for transmittal to the appropriate circuit court clerk or board of registration **and entry into the applicant file.**

(5) This subdivision applies if the individual is registering to vote not later than the twenty-ninth day before the scheduled date of a primary, general, municipal, or special election in the precinct where the voter resides. The employee shall do both of the following:

(A) Provide the individual with the acknowledgment described in section 11 of this chapter.

(B) Inform the individual of the following:

(i) That the individual will receive a mailing from the circuit court clerk or board of registration of the county where the individual resides concerning the disposition of the voter registration application.

(ii) That the acknowledgment entitles the individual to vote unless the mailing from the circuit court clerk or board of registration of the county where the individual resides states that the voter's application to vote has been denied for reasons stated in the mailing.

(iii) That if the individual's application is approved, the individual will receive a voter registration card from the circuit court clerk or board of registration of the county where the individual resides that replaces the acknowledgment.

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(6) Inform each individual who submits a change of address for a driver's license or identification card that the information serves as notice of a change of address for voter registration unless the applicant states in writing on the form that the change of address is not for voter registration purposes.

SECTION 5. IC 3-7-14-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 12. (a) An applicant who completes a voter registration application under section 4 of this chapter is not required to submit the application to a circuit court clerk or board of registration member.

(b) ~~The commission shall forward the voter registration part of the application to a circuit court clerk or board of registration~~ Not later than five (5) days after the date of acceptance and as provided in IC 9-24-2.5 and 42 U.S.C. 1973gg-3(c)(2)(E), **the license branch manager (or the employee designated by the manager to be responsible for voter registration services) shall do both of the following:**

(1) Enter the information on the application in the applicant file.

(2) Forward the voter registration part of the application to a circuit court clerk or board of registration.

SECTION 6. IC 3-7-14-16 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 16. The circuit court clerk or board of registration shall upon **the earlier of:**

(1) receiving a completed application under section 12 of this chapter; or

(2) examining the applicant's information in the applicant file; notify the applicant of the disposition of the application in the manner prescribed under IC 3-7-33 and as required under 42 U.S.C. 1973gg-6(a)(2).

SECTION 7. IC 3-7-15-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 9. An employee of the office who provides an individual with an application for assistance or services under section 3 of this chapter shall do the following:

(1) Inform each individual who applies for assistance or services that the information the individual provides on the individual's voter registration application will be used to register the individual to vote unless:

(A) the individual is not eligible to vote; or

(B) the individual:

(i) declines to register to vote; or

(ii) fails to complete the voter registration part of the

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application.

(2) Provide each individual who indicates a desire to register or transfer registration with assistance in filling out the voter registration application unless the individual refuses assistance, as provided in 42 U.S.C. 1973gg-5(a)(4)(ii).

(3) Check the completed voter registration form for legibility and completeness.

(4) Deliver the completed registration form to the office administrator (or the employee designated by the administrator to be responsible for voter registration services) for transmittal to the appropriate circuit court clerk or board of registration **and entry into the applicant file.**

(5) This subdivision applies if the individual is registering to vote not later than the twenty-ninth day before the scheduled date of a primary, general, municipal, or special election in the precinct where the voter resides. The employee shall do both of the following:

(A) Provide the individual with the acknowledgment described in section 13 of this chapter.

(B) Inform the individual of the following:

(i) That the individual will receive a mailing from the circuit court clerk or board of registration of the county where the individual resides concerning the disposition of the voter registration application.

(ii) That the acknowledgment entitles the individual to vote unless the mailing from the circuit court clerk or board of registration of the county where the individual resides states that the voter's application to vote has been denied for reasons stated in the mailing.

(iii) That if the individual's application is approved, the individual will receive a voter registration card from the circuit court clerk or board of registration of the county where the individual resides that will replace the acknowledgment.

SECTION 8. IC 3-7-15-16 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 16. **(a) Unless the applicant refuses to permit the office to transmit the form to the circuit court clerk or board of registration of the county where the applicant resides, the office shall forward the voter registration application to the clerk or board administrator (or the employee designated by the administrator to be responsible for voter registration services) shall do both of the following:**

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(1) Enter the information on the application in the applicant file.

(2) Forward the voter registration application to the circuit court clerk or board of registration.

(b) The office administrator (or the employee designated by the administrator to be responsible for voter registration services) must complete the duties listed in subsection (a) not later than five (5) days after the date of acceptance and as provided in 42 U.S.C. 1973gg-5(a)(4)(iii) and:

(1) IC 12-14-1.5;

(2) IC 12-14-25;

(3) IC 12-15-1.5; or

(4) IC 16-35-1.6.

SECTION 9. IC 3-7-15-18 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 18. The circuit court clerk or board of registration shall upon the earlier of:

(1) receiving a completed application under section 16 of this chapter; or

(2) examining the applicant's information in the applicant file; notify the applicant of the disposition of the application in the manner prescribed under IC 3-7-33 and as required under 42 U.S.C. 1973gg-6(a)(2).

SECTION 10. IC 3-7-16-16 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 16. An employee or a volunteer of the office who provides an individual with an application for assistance or services under this chapter shall do the following:

(1) Inform each individual who applies for assistance or services that the information the individual provides on the individual's voter registration application will be used to register the individual to vote unless:

(A) the individual is not eligible to vote; or

(B) the individual declines to register to vote or fails to complete the voter registration part of the application.

(2) Provide each individual who indicates a desire to register or transfer registration with assistance in filling out the voter registration application unless the individual refuses assistance, as provided in 42 U.S.C. 1973gg-5(a)(4)(ii).

(3) Check the completed voter registration form for legibility and completeness.

(4) Deliver the completed registration form to the office administrator (or the employee designated by the administrator to

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be responsible for voter registration services) for transmittal to the appropriate circuit court clerk or board of registration **and entry into the applicant file.**

(5) This subdivision applies if the individual is registering to vote not later than the twenty-ninth day before the scheduled date of a primary, general, municipal, or special election in the precinct where the voter resides. The employee shall do both of the following:

(A) Provide the individual with the acknowledgment described in section 20 of this chapter.

(B) Inform the individual of the following:

(i) That the individual will receive a mailing from the circuit court clerk or board of registration of the county where the individual resides concerning the disposition of the voter registration application.

(ii) That the acknowledgment entitles the individual to vote unless the mailing from the circuit court clerk or board of registration of the county where the individual resides states that the voter's application to vote has been denied for reasons stated in the mailing.

(iii) That if the individual's application is approved, the individual will receive a voter registration card from the circuit court clerk or board of registration of the county where the individual resides that will replace the acknowledgment.

SECTION 11. IC 3-7-16-23 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 23. Unless the applicant refuses to permit the office to transmit the form to the circuit court clerk or board of registration of the county where the applicant resides, the office **administrator (or the employee designated by the administrator to be responsible for voter registration services)** shall, ~~forward the voter registration application or declination to the clerk or board~~ not later than five (5) days after the date of acceptance and as provided in 42 U.S.C. 1973gg-5(a)(4)(iii), **do both of the following:**

(1) Enter the information on the application in the applicant file.

(2) Forward the voter registration part of the application to the circuit court clerk or board of registration.

SECTION 12. IC 3-7-16-25 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 25. The circuit court clerk or board of registration shall, upon **the earlier of:**

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(1) receiving a completed application under section 23 of this chapter; or

(2) **examining the applicant's information in the applicant file;** notify the applicant of the disposition of the application in the manner prescribed under IC 3-7-33, and as required under 42 U.S.C. 1973gg-6(a)(2).

SECTION 13. IC 3-7-16-29 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 29. A designated individual may use any of the following methods to transmit voter registration applications or declinations under section 27 or 28 of this chapter:

(1) Hand delivery to the circuit court clerk or board of registration.

(2) Certified mail, return receipt requested.

(3) Electronic transfer. ~~after approval by the commission.~~

SECTION 14. IC 3-7-18-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 8. An employee of the office who provides an individual with an application for assistance or services under this chapter shall do the following:

(1) Inform each individual who applies for assistance or services that the information the individual provides on the individual's voter registration application will be used to register the individual to vote unless:

(A) the individual is not eligible to vote; or

(B) the individual declines to register to vote or fails to complete the voter registration part of the application.

(2) Provide each individual who indicates a desire to register or transfer registration with assistance in filling out the voter registration application unless the individual refuses assistance, as provided in 42 U.S.C. 1973gg-5(a)(4)(A)(ii).

(3) Check the completed voter registration form for legibility and completeness.

(4) Deliver the completed registration form to the office administrator (or the employee designated by the administrator to be responsible for voter registration services) for transmittal to the appropriate circuit court clerk or board of registration **and entry into the applicant file.**

(5) **This subdivision applies if the individual is registering to vote not later than the twenty-ninth day before the scheduled date of a primary, general, municipal, or special election in the precinct where the voter resides. The employee shall do both of the following:**

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(A) Provide the individual with the acknowledgment described in section 12 of this chapter.

(B) Inform the individual of the following:

(i) That the individual will receive a mailing from the circuit court clerk or board of registration of the county where the individual resides concerning the disposition of the voter registration application.

(ii) That the acknowledgment entitles the individual to vote unless the mailing from the circuit court clerk or board of registration of the county where the individual resides states that the voter's application to vote has been denied for reasons stated in the mailing.

(iii) That if the individual's application is approved, the individual will receive a voter registration card from the circuit court clerk or board of registration of the county where the individual resides that will replace the acknowledgment.

SECTION 15. IC 3-7-18-15 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 15. Unless the applicant refuses to permit the office to transmit the form to the circuit court clerk or board of registration of the county where the applicant resides, the office **administrator (or the employee designated by the administrator to be responsible for voter registration services)** shall, **not later than five (5) days after the date of acceptance and as provided in 42 U.S.C. 1973gg-5(a)(4)(iii), do both of the following:**

(1) **Enter the information on the application in the applicant file.**

(2) **Forward the voter registration application or declination to the circuit court clerk or board as provided in 42 U.S.C. 1973gg-5(a)(4)(A)(iii). of registration.**

SECTION 16. IC 3-7-18-17 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 17. The circuit court clerk or board of registration shall, upon **the earlier of:**

(1) receiving a completed application under section 15 of this chapter; **or**

(2) **examining the applicant's information in the applicant file;** notify the applicant of the disposition of the application in the manner prescribed under IC 3-7-33, and as required under 42 U.S.C. 1973gg-6(a)(2).

SECTION 17. IC 3-7-18-21 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 21. A designated



individual may use any of the following methods to transmit voter registration applications or declinations under section 19 ~~or 20~~ of this chapter:

- (1) Hand delivery to the circuit court clerk or board of registration.
- (2) Certified mail, return receipt requested.
- (3) Electronic transfer. ~~after approval by the commission.~~

SECTION 18. IC 3-7-26-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 2. **(a)** The ~~commission~~ **election division** shall develop and maintain a statewide voter registration file.

(b) The election division shall maintain the statewide file so that the file is accessible by the election division and county voter registration offices through a secure connection over the Internet.

(c) The election division shall design the statewide file so that only the county voter registration office of a particular county is able to change data in the file for that county's voters.

(d) The election division shall design the applicant file so that all of the following apply:

- (1)** An agency at which individuals are entitled to register to vote under this article is able to enter voter registration information in the applicant file.
- (2)** County voter registration offices can access the applicant file.
- (3)** County voter registration offices can move information from the applicant file to their respective county files.

SECTION 19. IC 3-7-26-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 3. **(a)** Each county voter registration office shall ~~provide~~ **maintain** the voter registration information required under section 7 of this chapter. ~~to the election division.~~

(b) The voter registration office shall ~~periodically~~ update the voter registration information ~~as provided in this chapter~~ **each business day** and **as provided** in IC 3-7-38.1.

SECTION 20. IC 3-7-26-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 9. **(a)** Except as provided in **subsection (b)** and section 11 of this chapter, the commission shall act under IC 5-14-3-3(g) to adopt a nondiscriminatory uniform policy regarding the duplication of a complete and undivided compilation of the information all counties have provided to the statewide voter file. The commission and the election division may not provide any division of the compilation.

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1 **(b) The commission is not required to provide direct public**
 2 **access to the statewide voter registration file over the Internet.**

3 SECTION 21. IC 3-7-27-6 IS AMENDED TO READ AS
 4 FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 6. (a) As required
 5 under 42 U.S.C. 1973gg-6(i), a county voter registration office shall
 6 retain records concerning the implementation of programs and
 7 activities conducted for the purpose of ensuring the accuracy and
 8 currency of the voter registration list. These records include the
 9 following:

10 (1) Lists of names and addresses of voters who were sent notices
 11 under the voter list maintenance program.

12 (2) Information concerning whether a voter has responded to a
 13 notice described by subdivision (1) as of the date the inspection
 14 of the record is made.

15 (b) The county voter registration office shall retain the records
 16 described by this section for at least two (2) years. Except for records
 17 concerning declinations to register to vote or that indicate the identity
 18 of a voter registration agency where a person registered, the county
 19 voter registration office shall make the records available for public
 20 inspection and photocopying at a reasonable cost as provided in
 21 IC 5-14-3.

22 (c) ~~This subsection applies to a county that maintains voter~~
 23 ~~registration information on a computerized system.~~ In accordance with
 24 IC 5-14-3-3(g) and notwithstanding any other statute, a county voter
 25 registration office shall ~~with regard to voter registration information on~~
 26 ~~a computerized system~~, act in accordance with a nondiscriminatory
 27 uniform policy adopted by the county election board. The policy must
 28 either permit a person to duplicate or obtain a duplicate copy of a
 29 computer tape, computer disc, microfilm, or other similar record
 30 system that contains this voter registration information or not permit
 31 the person to duplicate or obtain a duplicate copy of the information.

32 (d) A person who requests computerized voter registration
 33 information under subsection (c) must provide a written statement that
 34 the person will not:

35 (1) use the information to solicit merchandise, goods, services, or
 36 subscriptions; or

37 (2) sell, loan, give away, or otherwise deliver the information
 38 obtained by the request to any other person;

39 for a purpose other than political activities or political fundraising
 40 activities.

41 (e) Publication of information obtained under subsection (d) in a
 42 news broadcast or newspaper is not prohibited.

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1 SECTION 22. IC 3-7-27-20 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 20. (a) This
 3 section applies to a county that maintains voter registration information
 4 in a computerized system.

5 (b) (a) The county voter registration office shall prepare an entry in
 6 the computerized system county file of the statewide file that
 7 accurately reflects the information set forth in the original affidavit of
 8 registration. However, the county voter registration office is only
 9 required to enter a voter's voting history for the previous ten (10) years
 10 if that history is available.

11 (c) (b) The county voter registration office is not required to prepare
 12 a duplicate paper copy of a registration properly entered into the
 13 computerized system: county file.

14 (d) (c) The computerized system county file must be able to
 15 generate lists of voters organized alphabetically and by precinct of
 16 residence.

17 SECTION 23. IC 3-7-27-21 IS AMENDED TO READ AS
 18 FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 21. (a) This
 19 section applies to a county whose voter registration records are
 20 maintained on a computerized system described by section 20 of this
 21 chapter.

22 (b) The circuit court clerk or board of registration is not required to
 23 maintain duplicate paper copies of original registrations if the county
 24 maintains a regularly updated copy of the computerized record at a
 25 secure location outside of the office of the circuit court clerk or board
 26 of registration that would prevent loss of registration information if the
 27 records in the office of the circuit court clerk or board of registration
 28 were not available.

29 (c) Notwithstanding IC 5-15, a circuit court clerk or board of
 30 registration may dispose of duplicate paper copies of original
 31 registrations made before January 1, 1995, by destroying the duplicate
 32 paper copies.

33 SECTION 24. IC 3-7-27-22 IS AMENDED TO READ AS
 34 FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 22. (a) This
 35 section applies to a county whose voter registration records are
 36 maintained on a computerized system described by section 20 of this
 37 chapter.

38 (b) The circuit court clerk or board of registration may maintain the
 39 original affidavits of registration in a secure location outside of the
 40 office of the circuit court clerk or board of registration. if:

41 (1) the county maintains a regularly updated copy of the
 42 computerized record as described in section 21(b) of this chapter;

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1 and

2 (2) the original affidavits are not located in the same location as
3 the updated copy of the computerized record;

4 SECTION 25. IC 3-7-29-3 IS AMENDED TO READ AS
5 FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 3. When the
6 inspector of a precinct procures the ballots and other election supplies
7 for an election, the inspector shall also procure from the circuit court
8 clerk or board of registration:

9 (1) in a county whose registration records are not maintained on
10 a computerized system described by IC 3-7-27-20; the duplicate
11 copy of the registration record; or

12 (2) in a county with a computerized registration system; (1) the
13 certified copies of the registration record of the precinct with the
14 information required under section 1 of this chapter; and

15 (2) other necessary registration supplies.

16 SECTION 26. IC 3-7-29-4 IS AMENDED TO READ AS
17 FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 4. The circuit
18 court clerk or board of registration in a county with a computerized
19 registration system may also provide the inspector of each precinct in
20 the county with a certified photocopy of the signature on the affidavit
21 of registration of each voter of the precinct for the comparison of
22 signatures under IC 3-10-1-24.5 or IC 3-11-8-25.

23 SECTION 27. IC 3-7-30-5 IS AMENDED TO READ AS
24 FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 5. Certain uses of
25 information from the statewide voter file are prohibited under
26 IC 3-7-26.

27 SECTION 28. IC 3-7-30-6 IS AMENDED TO READ AS
28 FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 6. Certain voter
29 registration information in the statewide voter registration file
30 maintained by the election division under IC 3-7-26 is confidential.

31 SECTION 29. IC 3-7-33-5, AS AMENDED BY P.L.122-2000,
32 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
33 JANUARY 1, 2002]: Sec. 5. (a) When the circuit court clerk or board
34 of registration receives an application for a new registration or an
35 application with information that revises or adds information to the
36 applicant's current voter registration record, the clerk or board shall
37 determine if the applicant appears to be eligible to register to vote
38 based on the information in the application.

39 (b) As required under 42 U.S.C. 1973gg-6(a)(2), the circuit court
40 clerk or board of registration shall send a notice to each person from
41 whom the clerk or board receives a voter registration application. The
42 clerk or board shall send a notice to the applicant at the mailing address

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provided in the application.

(c) The notice required by subsection (b) must set forth the following:

- (1) A statement that the application has been received.
- (2) The disposition of the application by the clerk or board.
- (3) If the clerk or board determines that the applicant appears to be eligible, the notice must state the following:

(A) The applicant is registered to vote under the residence address when the applicant receives the notice. An applicant is presumed to have received the notice unless the notice is returned by the United States Postal Service due to an unknown or insufficient address.

(B) The name of the precinct in which the voter is registered.

(C) The address of the polling place for the precinct in which the voter is registered.

- (4) If the clerk or board has denied the application, the notice must include the reasons for the denial.

(d) The notice required by subsection (b) ~~may~~ **must** include a voter registration card. **A voter registration card must contain the following information:**

- (1) The voter's name.
- (2) The county in which the voter is registered to vote.
- (3) The voter's residential address.
- (4) The precinct in which the voter is registered to vote.
- (5) The date on which the card was issued.

A voter registration card may contain other information that will assist the voter.

(e) If the notice is returned by the United States Postal Service due to an unknown or insufficient address, the clerk or board shall determine that the applicant is ineligible and deny the application.

SECTION 30. IC 3-7-33-5.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: **Sec. 5.5. (a) At least one (1) time each business day, the circuit court clerk or the board of registration shall process voter registration information of voters contained in the applicant file.**

(b) The circuit court clerk or board of registration shall process information contained in the applicant file under the procedures in section 5 of this chapter.

SECTION 31. IC 3-7-38.1-4, AS AMENDED BY P.L.38-1999, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: **Sec. 4. (a) A contract entered into under section**



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3 of this chapter must require the following:

(1) The contractor shall determine the following information regarding each voter with duplicate registrations:

(A) The voter's name.

(B) Each address at which the voter is registered.

(C) Other information the commission determines is necessary to implement this chapter.

The contractor shall obtain the information required by this subdivision from the ~~information submitted to the election division under IC 3-7-26-4.~~ **statewide file.**

(2) The contractor shall compile the information determined under subdivision (1) and provide the following with the information compiled under subdivision (1) in the form required by the commission:

(A) The election division.

(B) Each county in which a voter with a duplicate registration is registered to vote.

(3) The contractor shall print, prepare for mailing, and mail a postcard addressed to each voter with duplicate registrations at each address found for that voter. Each postcard must contain the following:

(A) The election division's mailing address as a return address.

(B) A return postcard that contains all of the following:

(i) A mailing address to the election division.

(ii) A listing of all the addresses at which the voter is believed to be registered.

(iii) Instructions to the voter to indicate whether addresses listed on the postcard are previous addresses of the voter.

(iv) A place for the voter to state the voter's current address.

(v) A statement of the voter authorizing cancellation of the voter's registration at other addresses in Indiana.

(vi) A statement informing the voter that the voter must return the postcard to the election division not later than a date specified by the election division.

(vii) A place for the voter's signature or mark.

(C) A statement of the consequences to the voter of the voter's failure to return the return postcard to the election division not later than a date specified by the election division.

(4) Before a date specified by the election division for each year, the contractor shall provide to the election division the following lists:

(A) A list of all voters with duplicate registrations who have

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1 returned postcards to the election division before a date
 2 specified by the election division. The list must indicate for
 3 each voter the following information:

4 (i) The voter's current address, including the county, as
 5 provided by the voter.

6 (ii) Each former address, including the county of each
 7 former address, at which the voter is registered.

8 (B) A list of all voters with duplicate registrations who have
 9 not returned postcards to the election division before a date
 10 specified by the election division. The list must indicate each
 11 county in which each voter is registered to vote.

12 (5) Not later than a date specified by the election division, the
 13 contractor shall mail to each county the following lists:

14 (A) A list of all voters with duplicate registrations who have:

15 (i) returned postcards to the election division before a date
 16 specified by the election division; and

17 (ii) indicated a current residence within the county.

18 (B) A list of all voters with duplicate registrations who:

19 (i) have returned postcards to the election division before a
 20 date specified by the election division;

21 (ii) are registered to vote in the county; and

22 (iii) have indicated a current residence in another county.

23 (C) A list of all voters with duplicate registrations who:

24 (i) have not returned postcards to the election division
 25 before a date specified by the election division; and

26 (ii) are registered to vote in the county.

27 (6) Not later than a date specified by the election division, the
 28 contractor shall do the following:

29 (A) Send a postcard to each voter described in subdivision
 30 (5)(B) informing the voter how the voter may register to vote
 31 in the county of the voter's current residence.

32 (B) Send a postcard to each voter described in subdivision

33 (5)(C) notifying the voter:

34 (i) that if the voter does not notify the county voter
 35 registration office of the voter's current residence before a
 36 date specified by the election division, the voter's
 37 registration will be placed on inactive status; and

38 (ii) of the consequences of the voter's registration being
 39 placed on inactive status.

40 Postcards and information supplied on postcards sent under this
 41 subdivision must comply with 42 U.S.C. 1973gg-6(d).

42 (7) Not later than a date specified by the election division, the

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contractor shall assist the election division in updating the statewide voter registration file using information obtained from the county voter registration offices under section 6 of this chapter.

(b) The contract may require the contractor to perform other services the election division requires.

SECTION 32. IC 3-7-45-6, AS ADDED BY P.L.38-1999, SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 6. (a) The election division or a contractor acting on behalf of the election division under IC 3-7-38.1 may obtain a list of Indiana residents identified as deceased by the federal Social Security Administration.

(b) The election division or a contractor acting on behalf of the election division under IC 3-7-38.1 shall provide each county voter registration office with a report identifying the deceased individuals who are shown as residing in the county according to the statewide voter file. ~~prepared under IC 3-7-38.1.~~

(c) Except as provided in section 7 of this chapter, the county voter registration office shall cancel the registration of each deceased person listed in the report provided under subsection (b).

SECTION 33. IC 3-7-48-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 7. **(a)** A voter shall be permitted to vote in a precinct upon written affirmation of the voter's residence in the precinct if

~~(1) the voter produces a registration receipt~~ **an acknowledgment of voter registration** indicating that the voter completed a registration form at a license branch or voter registration agency under this article on a date within the registration period. ~~and~~

~~(2) the county voter registration office advises the precinct election board that the office:~~

~~(A) approved the application; or~~

~~(B) has no record of either approving or rejecting the application.~~

(b) Notwithstanding subsection (a), an individual who presents an acknowledgment of voter registration is not entitled to vote if:

(1) the circuit court clerk or board of registration has sent a notice to the voter under IC 3-7-33-5 denying the individual's application; and

(2) a copy of the notice:

(A) has been delivered to the inspector of the precinct; and

(B) is at the precinct on election day.

SECTION 34. IC 3-7-48-8 IS AMENDED TO READ AS



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1 FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 8. The precinct
 2 election board shall add the name and address of a voter ~~described by~~
 3 **permitted to vote under** section 7 of this chapter to the poll list of the
 4 precinct.

5 SECTION 35. IC 9-24-2.5-4 IS AMENDED TO READ AS
 6 FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 4. ~~As required~~
 7 ~~under 42 U.S.C. 1973gg-3(e)(1)~~; The manager or designated license
 8 branch employee shall **do both of the following not later than five (5)**
 9 **days after the application is accepted at the license branch:**

10 (1) ~~As required under 42 U.S.C. 1973gg-3(e)(1)~~, transmit a copy
 11 of the completed voter registration portion of each application for
 12 a driver's license or an identification card for nondrivers issued
 13 under this article

14 ~~(1)~~ to the circuit court clerk or board of registration of the county
 15 in which the individual's residential address (as indicated on the
 16 application) is located. ~~and~~

17 (2) ~~not later than five (5) days after the application is accepted at~~
 18 ~~the license branch. As required by IC 3-7-14-12, enter the~~
 19 ~~information from the application in the statewide voter~~
 20 ~~registration applicant file.~~

21 SECTION 36. IC 12-14-1.5-4 IS AMENDED TO READ AS
 22 FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 4. (a) As required
 23 under 42 U.S.C. 1973gg-5(d)(1), the county director or designated
 24 office employee shall **do both of the following not later than five (5)**
 25 **days after the application is accepted at the office.**

26 (1) ~~As required under 42 U.S.C. 1973gg-5(d)(1)~~, transmit a
 27 copy of a completed voter registration application

28 ~~(1)~~ to the circuit court clerk or board of registration of the county
 29 in which the individual's residential address (as indicated on the
 30 application) is located. ~~and~~

31 (2) ~~not later than five (5) days after the application is accepted at~~
 32 ~~the office. As required by IC 3-7-15-9, enter the information~~
 33 ~~from the application in the statewide voter registration~~
 34 ~~applicant file.~~

35 (b) The county director or designated employee shall transmit a
 36 copy of the voter registration application (or a separate declination
 37 form) on which the individual declined to register to vote by
 38 specifically declining to register or by failing to complete the voter
 39 registration portion of the application.

40 (c) The declination must be transmitted:

41 (1) to the circuit court clerk or board of registration of the county
 42 in which the individual's residential address (as indicated on the

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application) is located; and

(2) not later than five (5) days after the application is accepted at the office.

SECTION 37. IC 12-14-25-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 3. (a) As required under 42 U.S.C. 1973gg-5(d)(1), the designated office employee shall **do both of the following not later than five (5) days after the application is accepted at the office:**

(1) **As required under 42 U.S.C. 1973gg-5(d)(1)**, transmit a copy of a completed voter registration application (+) to the circuit court clerk or board of registration of the county in which the individual's residential address (as indicated on the application) is located. ~~and~~

(2) ~~not later than five (5) days after the application is accepted at the office.~~ **As required by IC 3-7-15-9, enter the information from the application in the statewide voter registration applicant file.**

(b) The designated employee shall transmit a copy of the voter registration application (or a separate declination form) on which the individual declined to register to vote by specifically declining to register or by failing to complete the voter registration portion of the application.

(c) The declination must be transmitted:

(1) to the circuit court clerk or board of registration of the county in which the individual's residential address (as indicated on the application) is located; and

(2) not later than five (5) days after the application is accepted at the office.

SECTION 38. IC 12-15-1.5-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 4. (a) This section does not apply to a voter registration application or declination to register accepted at a county office during the final five (5) days before the end of a registration period under IC 3-7-13.

(b) ~~As required under 42 U.S.C. 1973gg-5(d)(1)~~; The county director or designated office employee shall **do both of the following not later than five (5) days after the application is accepted at the office:**

(1) **As required under 42 U.S.C. 1973gg-5(d)(1)**, transmit a copy of a completed voter registration application (+) to the circuit court clerk or board of registration of the county in which the individual's residential address (as indicated on the application) is located. ~~and~~

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(2) ~~not later than ten (10) days after the application is accepted at the office. As required by IC 3-7-15-9, enter the information from the application in the statewide voter registration applicant file.~~

(c) The county director or designated employee shall transmit a copy of the voter registration application (or a separate declination form) on which the individual declined to register to vote by specifically declining to register or by failing to complete the voter registration portion of the application.

(d) The declination must be transmitted:

(1) to the circuit court clerk or board of registration of the county in which the individual's residential address (as indicated on the application) is located; and

(2) ~~not later than ten (10) days after the application is accepted at the office.~~

SECTION 39. IC 16-35-1.6-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 5. (a) ~~As required under 42 U.S.C. 1973gg-5(d)(1);~~ The designated office employee shall **do both of the following not later than five (5) days after the application is accepted at the office:**

(1) **As required under 42 U.S.C. 1973gg-5(d)(1),** transmit a copy of a completed voter registration application

~~(1) to the circuit court clerk or board of registration of the county in which the individual's residential address (as indicated on the application) is located. and~~

(2) ~~not later than five (5) days after the application is accepted at the office. As required by IC 3-7-15-9, enter the information from the application in the statewide voter registration applicant file.~~

(b) The employee shall transmit a copy of the voter registration application (or a separate declination form) on which the individual declined to register to vote by specifically declining to register or by failing to complete the voter registration portion of the application.

(c) The declination must be transmitted:

(1) to the circuit court clerk or board of registration of the county in which the individual's residential address (as indicated on the application) is located; and

(2) ~~not later than five (5) days after the application is accepted at the office.~~

SECTION 40. THE FOLLOWING ARE REPEALED [EFFECTIVE JANUARY 1, 2002]: IC 3-7-26-1; IC 3-7-26-4; IC 3-7-26-8; IC 3-7-26-18; IC 3-7-27-23.

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